

JAN 04 2007

Application No.: 10/688,514

11

Docket No.: 448252000304

REMARKS

In the Office Action mailed on October 4, 2006, claims 20-47 were rejected. By this amendment, claims 20 and 21 have been amended. Claims 20-47 remain pending. Applicants request reconsideration of the pending claims in view of the following remarks.

I. Claim Objection

Claims 20 and 21 were objected to for an informality. Claims 20 and 21 have been amended as suggested by the Examiner.

II. Non-Statutory Double Patenting/Obviousness-type Double Patenting

Claims 20-22 were rejected on the ground of nonstatutory obviousness-type double patenting. A terminal disclaimer in compliance with 37 CFR 3.73(b) is being submitted herewith. Thus, Applicants request allowance of claims 20-22.

III. Claim Rejections-35 USC 102(e)

Claims 23-47 were rejected under 35 USC 102(e) as being anticipated by US Patent No. 6,457,025 (the Judson reference). For at least the reasons set forth below, Applicants assert that the Judson reference does not disclose each and every limitation recited in claims 23-47.

A. - Claim 23

Independent claim 23 recites, in part, "choosing an advertising page to be displayed when the communication device is idle." (Emphasis added.) Applicants assert that the Judson reference does not disclose this claim limitation.

In particular, the Judson reference discloses that information, such as advertisement, is retrieved and displayed (elements 80 and 82 in FIG. 3) when a link to a web page is activated (element 74 in FIG. 3). As depicted in FIG. 3, the advertisement is displayed while the client is

sf-2208905

Application No.: 10/688,514

12

Docket No.: 448252000304

downloading the web page (element 76 and 78 in FIG. 3). Clearly the client is not idle during this time. Instead, the client is actively downloading the web page.

Thus, Applicants assert that claim 23 is allowable over the Judson reference because it does not disclose or suggest "choosing an advertising page to be displayed when the communication device is idle."

B. Claim 24

Claim 24 recites, in part, "an advertising manager that prevents the advertisement from being displayed when a predetermined condition is satisfied." (Emphasis added.) Applicants assert that the Judson reference does not disclose this claim limitation.

As noted above, the Judson reference discloses that information, such as advertisement, is retrieved and displayed (elements 80 and 82 in FIG. 3) when a link to a web page is activated (element 74 in FIG. 3). The Judson reference, however, does not disclose preventing the advertisement from being displayed when a predetermined condition is satisfied.

Thus, Applicants assert that claim 24 is allowable over the Judson reference.

C. Claim 25

Claim 25 depends from claim 24 and recites that the advertising manager prevents the advertisement from being displayed when a user responds to the advertisement. As noted above, the Judson reference only discloses that information, such as advertisement, is displayed when a link to a web page is activated. The Judson reference, however, does not disclose preventing the advertisement from being displayed when a user responds to the advertisement.

D. Claim 26

Claim 26 depends from claim 24 and recites that the advertising manager prevents the advertisement from being displayed when the advertisement has been displayed a predetermined

sf-2208905

Application No.: 10/688,514

13

Docket No.: 448252000304

number of times. As noted above, the Judson reference only discloses that information, such as advertisement, is displayed when a link to a web page is activated. The Judson reference, however, does not disclose preventing the advertisement from being displayed when the advertisement has been displayed a predetermined number of times.

E. Claim 27

Claim 27 depends from claim 24 and recites that the advertising manager prevents the advertisement from being displayed when a more important advertisement is to be displayed. As noted above, the Judson reference only discloses that information, such as advertisement, is displayed when a link to a web page is activated. The Judson reference, however, does not disclose preventing the advertisement from being displayed when a more important advertisement is to be displayed.

F. Claim 28

Claim 28 depends from claim 24 and recites that the advertisement manager is capable of marking an advertisement as temporary, the marked advertisement being stored on a URL history stack so that the advertisement is never rerun. As noted above, the Judson reference only discloses retrieving and displaying information, such as advertisement. The Judson reference, however, does not disclose marking an advertisement as temporary and storing the marked advertisement on a URL history stack so that the advertisement is never rerun.

G. Claim 29

Claim 29 depends from claim 24 and recites that the advertising manager looks at a set of advertisements available and chooses one of the advertisements to display. As noted above, the Judson reference only discloses retrieving and displaying information, such as advertisement. The Judson reference, however, does not disclose looking at a set of advertisement available and choosing one to display.

sf-2208905

Application No.: 10/688,514

14

Docket No.: 448252000304

H. Claim 30

Claim 30 depends from claim 24 and recites that the advertising manager checks whether a currently displayed advertisement is marked for deletion and deletes the advertisement if it is marked for deletion. As noted above, the Judson reference only discloses retrieving and displaying information, such as advertisement. Also, the information in the Judson reference is stored as a message in a comment tag (FIG. 7 and column 6, lines 36-43). The Judson reference, however, does not disclose deleting the comment tag.

I. Claim 31

Claim 31 depends from claim 30 and recites that the advertising manager passes a string to the markup language content handler as user has responded to the advertisement after it is marked for deletion. As noted above, the Judson reference only discloses retrieving and displaying information, such as advertisement. Also, the displayed information in the Judson reference is stored as a message in a comment tag (FIG. 7 and column 6, lines 36-43). The Judson reference, however, does not disclose passing a string to the markup language content handler.

J. Claim 32

Claim 32 depends from claim 24 and recites that any key press that is not bound in the advertisement causes the advertisement to disappear. As noted above, the Judson reference only discloses retrieving and displaying information, such as advertisement. The Judson reference, however, does not disclose causing the advertisement to disappear when a key is pressed that is not bound in the advertisement.

K. Claim 33

Claim 33 depends from claim 32 and recites that the key press that is not bound in the advertisement causes the key press to be reprocessed by the page that was active before the advertisement appeared. As noted above, the Judson reference only discloses retrieving and

sf-2208905

Application No.: 10/688,514

15

Docket No.: 448252000304

displaying information, such as advertisement. The Judson reference, however, does not disclose reprocessing the key press, which is not bound in the advertisement, by the page that was active before the advertisement appeared.

L. Claim 34

Claim 34 depends from claim 24 and recites that the advertisement is a page described using a markup language and includes an advertising content. As noted above, the information, such as advertisement, in the Judson reference is stored as a message in a comment tag (FIG. 7 and column 6, lines 36-43). The Judson reference, however, does not disclose that the advertisement is a page described using a markup language.

M. Claim 35

Claim 35 recites, in part, "an advertising manager that prevents the advertisement from being displayed when a predetermined condition is satisfied." (Emphasis added.) Applicants assert that the Judson reference does not disclose this claim limitation.

As noted above, the Judson reference discloses that information, such as advertisement, is retrieved and displayed (elements 80 and 82 in FIG. 3) when a link to a web page is activated (element 74 in FIG. 3). The Judson reference, however, does not disclose preventing the advertisement from being displayed when a predetermined condition is satisfied.

Thus, Applicants assert that claim 35 is allowable over the Judson reference.

N. Claim 36

Claim 36 depends from claim 35 and recites that the advertising manager prevents the advertisement from being displayed when a user responds to the advertisement. As noted above, the Judson reference only discloses that information, such as advertisement, is displayed when a

sf-2208905

Application No.: 10/688,514

16

Docket No.: 448252000304

link to a web page is activated. The Judson reference, however, does not disclose preventing the advertisement from being displayed when a user responds to the advertisement.

O. Claim 37

Claim 37 depends from claim 35 and recites that the advertising manager prevents the advertisement from being displayed when the advertisement has been displayed a predetermined number of times. As noted above, the Judson reference only discloses that information, such as advertisement, is displayed when a link to a web page is activated. The Judson reference, however, does not disclose preventing the advertisement from being displayed when the advertisement has been displayed a predetermined number of times.

P. Claim 38

Claim 38 depends from claim 35 and recites that the advertising manager prevents the advertisement from being displayed when a more important advertisement is to be displayed. As noted above, the Judson reference only discloses that information, such as advertisement, is displayed when a link to a web page is activated. The Judson reference, however, does not disclose preventing the advertisement from being displayed when a more important advertisement is to be displayed.

Q. Claim 39

Claim 39 depends from claim 35 and recites that the advertisement is a page described using a markup language and includes an advertising content. As noted above, the displayed information, such as advertisement, in the Judson reference is stored as a message in a comment tag (FIG. 7 and column 6, lines 36-43). The Judson reference, however, does not disclose that the advertisement is a page described using a markup language.

sf-2208905

Application No.: 10/688,514

17

Docket No.: 448252000304

R. Claim 40

Claim 40 recites, in part, "preventing the advertisement from being displayed when a predetermined condition is satisfied." (Emphasis added.) Applicants assert that the Judson reference does not disclose this claim limitation.

As noted above, the Judson reference discloses that information, such as advertisement, is retrieved and displayed (elements 80 and 82 in FIG. 3) when a link to a web page is activated (element 74 in FIG. 3). The Judson reference, however, does not disclose preventing the advertisement from being displayed when a predetermined condition is satisfied.

Thus, Applicants assert that claim 40 is allowable over the Judson reference.

S. Claim 41

Claim 41 depends from claim 40 and recites that the advertisement is prevented from being displayed when a user responds to the advertisement. As noted above, the Judson reference only discloses that information, such as advertisement, is displayed when a link to a web page is activated. The Judson reference, however, does not disclose preventing the advertisement from being displayed when a user responds to the advertisement.

T. Claim 42

Claim 42 depends from claim 40 and recites that the advertisement is prevented from being displayed when the advertisement has been displayed a predetermined number of times. As noted above, the Judson reference only discloses that information, such as advertisement, is displayed when a link to a web page is activated. The Judson reference, however, does not disclose preventing the advertisement from being displayed when the advertisement has been displayed a predetermined number of times.

sf-2208905

Application No.: 10/688,514

18

Docket No.: 448252000304

U. Claim 43

Claim 43 depends from claim 40 and recites that the advertisement is prevented from being displayed when a more important advertisement is to be displayed. As noted above, the Judson reference only discloses that information, such as advertisement, is displayed when a link to a web page is activated. The Judson reference, however, does not disclose preventing the advertisement from being displayed when a more important advertisement is to be displayed.

V. Claim 44

Claim 44 depends from claim 40 and recites that the advertisement is a page described using a markup language and includes an advertising content. As noted above, the displayed information, such as advertisement, in the Judson reference is stored as a message in a comment tag (FIG. 7 and column 6, lines 36-43). The Judson reference, however, does not disclose that the advertisement is a page described using a markup language.

W. Claims 45-47

Claims 45-47 recite, in part, that a body portion of a markup language page is displayed in a window having a title bar area and the advertising data is displayed in the title bar area. (Emphasis added.) Applicants assert that the Judson reference does not disclose this claim limitation.

As noted above, the displayed information, such as advertisement, in the Judson reference is stored as a message in a comment tag (FIG. 7 and column 7, lines 35-43). As depicted in FIG. 8, the information, which corresponds to "THE PTO WELCOMES YOU!" is not displayed in the title bar area.

Thus, Applicants assert that claims 45-47 are allowable over the Judson reference.

sf-2203905

JAN. 4. 2007 5:42PM

MOFO 28TH FL

RECEIVED
CENTRAL FAX CENTER

NO. 036 P. 22

JAN 04 2007

Application No.: 10/688,514

19

Docket No.: 448252000304

IV. Conclusion

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 448252000304. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: January 4, 2007

Respectfully submitted,

By 

Peter J. Yin

Registration No.: 44,417

MORRISON & FOERSTER LLP

425 Market Street

San Francisco, California 94105-2482

(415) 268-6373

sf-2208905